

SENATE BILL 1654
By Ford J

AN ACT to amend Tennessee Code Annotated, Title 63 and Title 68, relative to human stem cells.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 30, Part 4, is amended by adding the following as a new section:

Section 68-30-403.

(a) The policy of the State of Tennessee shall be as follows:

(1) That research involving the derivation and use of human embryonic stem cells, human embryonic germ cells, and human adult stem cells from any source, including somatic cell nuclear transplantation, shall be permitted and that full consideration of the ethical and medical implications of this research be given.

(2) That research involving the derivation and use of human embryonic stem cells, human embryonic germ cells, and human adult stem cells, including somatic cell nuclear transplantation, shall be reviewed by an approved institutional review board.

(b) A person may not knowingly, for valuable consideration, purchase or sell embryonic or cadaveric fetal tissue for research purposes pursuant to this chapter.

(c) For purposes of this section, "valuable consideration" does not include reasonable payment for the removal, processing, disposal, reservation, quality control, storage, transplantation, or implantation of a part.

(d) Embryonic or cadaveric fetal tissue may be donated for research purposes in accordance with this chapter.

(e) Any person who violates subsection (b) commits a Class A misdemeanor.

SECTION 2. Tennessee Code Annotated, Title 63, Chapter 6, Part 2, is amended by adding the following as a new section:

Section 63-6-234.

(a) A physician, surgeon, or other health care provider delivering fertility treatment shall provide his or her patient with timely, relevant, and appropriate information to allow the individual to make an informed and voluntary choice regarding the disposition of any human embryos remaining following the fertility treatment.

(b) Any individual to whom information is provided pursuant to subsection (a) shall be presented with the option of storing any unused embryos, donating them to another individual, discarding the embryos, or donating the remaining embryos for research.

(c) Any individual who elects to donate embryos remaining after fertility treatments for research shall provide written consent.

SECTION 3. This act shall take effect July 1, 2003, the public welfare requiring it.